

CA20N
YX71
-1906
A16



An Act
Respecting the
University of Toronto
and
University College
1906

3727135
0529

378.7135

0689



Library
of the
Academy of Medicine,
Toronto.
9370

Presented by

Dr. A. Reere Fund
1929



CHAPTER 55.

An Act respecting the University of Toronto and University College.

Assented to 14th May, 1906.

- MEANING OF TERMS, ss. 2, 3.
 REMOVAL OF TEACHING STAFF BY BOARD, s. 4.
 PROCLAMATION CHANGING NAME OF, s. 5.
 SCHOOL OF PRACTICAL SCIENCE UNITED AS FACULTY OF, s. 6.
 FEDERATION OF UNIVERSITIES AND COLLEGES, ss. 7, 8, 9.
 RELIGIOUS TESTS NOT REQUIRED, s. 9.
 LANDS AND PROPERTY OF, ss. 10-18.
 Vested in Board, s. 12.
 Not to be expropriated, s. 17.
 Exempt from Taxation, s. 18.
 ENDOWMENT OF CHAIRS OR SCHOLARSHIPS, s. 19.
 BOARD OF GOVERNORS, ss. 20-46.
 Composition of, s. 24.
 Chairman of, s. 26.
 Term of office of members, s. 30.
 Removal of members by Lieutenant-Governor, s. 33.
 Powers of Crown transferred to, s. 38.
 Powers of, ss. 39-41.
 Annual report of, s. 44.
 THE SENATE, ss. 47-56.
 How composed, s. 47.
 Teaching Staff of University not to be elected to, s. 48.
 Term of office of members, s. 50.
 Vacancies, ss. 51, 52.
 Powers and duties of, ss. 54, 55.
 Certain statutes of to be submitted to Board, s. 56.
 CONVOCATION, ss. 57-66.
 How composed, s. 57.
 Powers of, s. 58.
 Meetings, ss. 59, 60, 61.
 Quorum, s. 64.
 Chairman of, s. 68.
 CHANCELLOR, ss. 67-72.
 Graduate to elect, s. 67.
 To be Chairman of Convocation, s. 68.
 Conferring of degrees by, s. 69.
 Term of office, s. 70.
 COUNCIL OF FACULTY OF ARTS, ss. 73-75.
 COUNCIL OF UNIVERSITY COLLEGE, s. 77.
 POWERS AND DUTIES OF FACULTY COUNCILS, s. 79.
 POWERS OF COUNCIL OF UNIVERSITY COLLEGES, s. 81.
 "CAPUT," ss. 84-87.
 PRESIDENT OF UNIVERSITY, ss. 88-91.
 Duties and Powers of, s. 88.
 Appointment of, *pro tem.*, ss. 89-91.
 PRINCIPAL OF UNIVERSITY COLLEGE, s. 92.
 REGISTRARS, s. 93.
 DISCIPLINE,
 Jurisdiction as to, ss. 94-100.
 ELECTION OF CHANCELLOR AND MEMBERS OF SENATE, ss. 101-126.
 APPORTIONMENT OF COURSE OF INSTRUCTION IN ARTS, ss. 127, 128.
 ATTENDANCE AT LECTURES, ss. 130, 134.
 FEES FOR INSTRUCTION IN ARTS, s. 133.
 ENROLMENT OF STUDENTS, ss. 136-138.
 ANNUAL GRANT OF PORTION OF REVENUE FROM SUCCESSION DUTIES, s. 140.
 TRINITY COLLEGE,
 Rights of, s. 141.
 Removal to Queen's Park, s. 142.
 Loans to, may be guaranteed by Province, s. 142.
 DEVONSHIRE PLACE,
 Power of Board to close, s. 143.
 WALLBRIDGE SCHOLARSHIP, s. 144.
 FEDERATED COLLEGES,—WHEN TO BECOME COLLEGES OF UNIVERSITY, s. 145.
 COMMENCEMENT OF ACT, s. 148.

HIS

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:—

Short title.

1. This Act may be cited as *The University Act, 1906*.

Interpretation.

2. Where the words following occur in this Act, unless a contrary intention appears, they shall be construed as follows:—

“The University.”

(1) “The University” as meaning the University of Toronto.

“The Board.”

(2) “The Board” as meaning the Governors of the University of Toronto.

“Appointed members.”

(3) “Appointed members” as meaning the members of the Board appointed by the Lieutenant-Governor in Council.

“Property.”

(4) “Property” as including real property and all other property of every nature and kind whatsoever.

“Real property.”

(5) “Real property” as including messuages, lands, tenements and hereditaments whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein.

“College.”

(6) “College” as including a school or other institution of learning.

“Teaching Staff.”

(7) “Teaching staff” as including professors, associate professors, lecturers, instructors, demonstrators and all others engaged in the work of teaching or giving instruction.

“Now.”

(8) “Now” as meaning when this Act goes into force.

“Trinity College.”

(9) “Trinity College” as meaning Trinity College as established and incorporated by the Act passed in the 14th and 15th years of the reign of Her late Majesty, Queen Victoria, chaptered 32, and as constituted a University by Royal Charter bearing date the sixteenth day of July, 1853.

“Head.”

(10) “Head,” when it refers to the head of a federated university or a federated college, as meaning the person who is or is certified by the governing body of such university or college to be the head thereof.

University,
University
College, Facul-
ties, etc., con-
tinued.

3. The Provincial University, known as the University of Toronto, the Provincial College, known as University College, the Senate, Convocation, the several faculties of the University and the Faculty of University College, are and each of them is hereby continued, and, subject to the provisions of this Act, shall respectively have, hold, possess and enjoy all the rights, powers and privileges which they respectively now have, hold, possess and enjoy.

4. All appointments in and statutes and regulations affecting the University and University College and each of them shall continue, subject to the provisions of this Act, and subject also, as to the teaching staff, and all officers, servants and employees, to their removal by the Board at its discretion.

Appointments, statutes and regulations, continued.

5.—(1) If and when a proclamation to that effect shall be issued by the Lieutenant-Governor, the name of the University shall be changed to and the University shall be known as "The University of Ontario" from and after such date as shall be named in the proclamation for the change taking effect.

Proclamation changing name of University.

(2) Such proclamation shall not be issued unless and until a statute of the Senate approving of the change shall have been passed by the vote of at least three-fourths of the members thereof who may be present at a meeting called for the purpose of considering the question of making such change and unless and until the change shall have been sanctioned by the Board.

When proclamation may be issued.

6.—(1) The School of Practical Science is hereby united with and shall form part of the University and constitute the faculty of Applied Science and Engineering thereof.

School of Practical Science united with University as faculty of Applied Science and Engineering.

(2) The principal of the School of Practical Science shall become and be the Dean of the said faculty, and the professors, teachers, instructors and officers of the said school shall hold and occupy the like positions in the said faculty to those now held and occupied by them in the said school, but subject always to removal by the Board at its discretion.

Dean of faculty.

(3) Whenever in any Act or document reference is made to the School of Practical Science, the same shall hereafter apply and extend to the said faculty.

Reference to School to mean faculty of Applied Science, etc.

(4) All moneys expended by the Board in the maintenance of the said faculty shall for the purposes and within the meaning of the agreement bearing date the second day of March, 1889, between Her late Majesty, Queen Victoria, and the Corporation of the City of Toronto, be deemed to be money expended by "Her Majesty and Her Successors acting by and through the Executive Council of the Province of Ontario."

Moneys expended by board to be deemed to be expended by Crown for certain purposes.

(5) All courses of study in the said school, all Orders in Council relating thereto, and all by-laws, rules and regulations thereof, except in so far as the same are inconsistent with the provisions of this Act, shall continue in force and apply to the said faculty in the same manner and to the same extent as the same are now applicable to the said school, but they may be abrogated or modified by the proper governing body of the University in that behalf as may be deemed expedient.

Curriculum, by-laws, etc., extended to apply to faculty.

Universities and colleges, federated or affiliated.

7.—(1) Every university and every college federated with the University and every college affiliated with the University shall continue to be so federated or affiliated, subject to any statute in that behalf and to this Act.

Colleges affiliated with federated universities.

(2) A college affiliated with a federated university at the time of its federation with the University, whether such federation has heretofore been or shall hereafter be entered into, shall be deemed to be affiliated with the University.

Victoria and Trinity declared to be federated.

(3) The following are declared to be the universities federated with the University, that is to say, Victoria University and Trinity College.

Federated colleges.

(4) The following are declared to be the colleges federated with the University, that is to say, Knox College, Wycliffe College and St. Michael's College.

Affiliated colleges.

(5) The following are declared to be the colleges affiliated with the University, that is to say; Albert College, The Ontario Agricultural College, The Ontario Medical College for Women, The Royal College of Dental Surgeons, The Toronto College of Music, The Ontario College of Pharmacy, The Toronto Conservatory of Music, The Hamilton Conservatory of Music, The Western Canada College of Calgary, The Columbian Methodist College, and The Ontario Veterinary College; the following the Colleges which are affiliated with the University by reason of their having been affiliated with Victoria University when the said last mentioned University became federated with the University, that is to say: The Ontario Ladies' College and Alma College; and St. Hilda's College, which is affiliated with the University by reason of its having been affiliated with Trinity College when Trinity College became federated with the University.

Affiliated colleges, when to be represented in Senate.

(6) A college which has been affiliated with the University since the 15th day of April, 1901, or which shall hereafter be affiliated therewith shall not be entitled to representation on the Senate unless so declared by statute in that behalf.

Removal of college from federation or affiliation.

(7) The Senate may remove from federation or affiliation with the University any college, now or hereafter federated or affiliated with the University which becomes an integral part of or federates or affiliates with any other university which has and exercises the powers of conferring any degrees other than those in theology.

Colleges affiliated with federated universities to cease to be affiliated with university on dissolution of federation.

(8) If and when any university now or hereafter federated with the University ceases to be federated therewith, every college which is affiliated with the University by reason only of its having been affiliated with such federated university shall thereupon and thereafter cease to be affiliated with the University, but shall retain the same relation with the federated university with which it was affiliated as existed when such federated university became federated with the University.

(9) The Arts faculties of Victoria University and Trinity College in their relation to the University shall be known as and may be called colleges of the University bearing respectively as such colleges the names Victoria College and Trinity College.

Arts faculties of
Victoria and
Trinity.

8.—(1) When any university in the Province of Ontario determines to surrender its degree conferring powers (except the power of conferring degrees in theology) and notifies the Board of such determination, the Board may by statute declare such university to be federated with the University on and from a day to be named in such statute, and thereupon and thereafter the power of such federated university to confer degrees, except in theology, shall be suspended.

Admission of
universities to
federation.

(2) Every such statute shall be published forthwith after the passing thereof in the *Ontario Gazette*.

(3) The power and authority of conferring degrees, except in theology, of any university now or hereafter federated with the University shall be suspended and in abeyance, but may be resumed by such federated university; Provided that three years shall have elapsed from the date when its federation with the University took effect, and that after the lapse of such three years one year's notice in writing of its intention to resume its degree-conferring powers shall have been given to the Board, and any such federated university shall cease to be federated with the University at and after the expiry of the said last mentioned period.

Suspension of
degree-confer-
ring powers
during federa-
tion.

Proviso.

(4) Notice that any such federated university has ceased to be federated with the University and the date when it ceased to be so federated shall be published in the *Ontario Gazette*.

Notice of disso-
lution of feder-
ation.

(5) The graduates and undergraduates in Arts, Science and Law of a federated university and such graduates and undergraduates thereof in Medicine as have passed their examinations in Ontario from and after the date when such university became federated with the University, and so long as such federation shall continue, shall have and enjoy the same degrees, honours and status in the University as they held and enjoyed in the federated university.

Rights of
graduates and
undergrad-
uates of fed-
erated univer-
sity.

9.—(1) No religious test shall be required of any professor, lecturer, teacher, officer or servant of the University or of University College, or of any student thereof or therein, nor shall religious observances according to the forms of any religious denomination or sect be imposed on them or any of them, but the Board may make regulations touching the moral conduct of the students thereof and therein and their attendance on public worship in their respective churches or other places of religious worship and their religious instruction by their respective minis-
ters,

Religious tests
etc., not re-
quired.

Moral and
religious
training.

Proviso.

Rights of federated universities and colleges as to religion.

Accounts of proceeds of sales of lands set apart for university and college.

Rights of university as to such lands preserved.

Annual grant of \$7,000 continued.

Property vested in trustees transferred to Board.

Property vested in Crown for S. P. S. vested in Board.

ters, according to their respective forms of religious faith, and every requisite facility shall be afforded for such purposes, provided always that attendance on such forms of religious observance shall not be compulsory on any student attending the University or University College.

(2) Nothing in this section contained shall interfere with the right of any federated university or college to make such provision in regard to religious instruction and religious worship for its own students as it may deem proper, and to require the same to be observed as a part of its own discipline.

10.—(1) Separate accounts of the proceeds of the sales of the lands set apart for the use of the University and University College or either of them by the Act passed in the 60th year of the reign of Her late Majesty, Queen Victoria, chaptered 59, and by the Act passed in the third year of the reign of His Majesty, chaptered 36 (as amended by the Act passed in the 5th year of the same reign, chaptered 36) and by the Act passed in the said last mentioned year chaptered 37, shall continue to be kept by the proper officers and departments and yearly accounts thereof to be furnished to the Board, as provided in the said Acts, and all moneys derived from such sales shall be paid to the Board free from all charges or deductions for management or otherwise.

(2) The repeal by this Act of the Acts and parts of Acts mentioned or referred to in subsection 1 shall not affect or impair the right of the University and University College or either of them to have the lands mentioned therein set apart in accordance with and subject to the provisions of the Acts and parts of Acts so repealed, but such right shall remain in full force notwithstanding such repeal.

11. The annual grant of \$7,000, provided for by the said first mentioned Act, shall continue to be paid to the Board as provided therein, and the same shall form a charge upon and be paid from time to time out of the Consolidated Revenue.

12. All property now vested in the Trustees of the University of Toronto is hereby, subject to any trust affecting the same, vested in the Board, and all property which heretofore has been or hereafter shall be granted, conveyed, devised or bequeathed to any person in trust for or for the benefit of the University and University College or either of them or of any faculty or department thereof or otherwise in connection therewith, subject always to the trust affecting the same, shall be vested in the Board.

13. All property which is vested in or used by the Crown for the purposes of the School of Practical Science, and all unexpended appropriations out of the Consolidated Revenue

Revenue for the maintenance thereof, shall belong to and are hereby vested in the Board.

14. The real property demised to the Corporation of the City of Toronto for the purpose of a park under the authority of section 66 of chapter 62 of the Consolidated Statutes of Upper Canada shall, so long as the lease thereof remains in force, form part of the City of Toronto and the residue of the real property adjacent to the said park which is vested in the Board, shall be subject to the police regulations of the said corporation and the council thereof and except as herein otherwise provided to the by-laws thereof.

15. All real property which is now or which hereafter shall be vested in the Board shall, as far as the application thereto of any statute of limitations is concerned, be deemed to have been and to be real property vested in the Crown for the public uses of the Province.

16. It is hereby declared that the dedication heretofore by the Crown for any purpose of any real property held for the purposes of the University and University College or either of them has not taken away from such real property any rights or privileges which it enjoyed as Crown lands or prejudicially affected the same, but that all such rights and privileges remain in full force and effect.

17.—(1) The real property vested in the Board shall not be liable to be entered upon, used or taken by any municipal or other corporation or by any person possessing the right of taking lands compulsorily for any purpose whatsoever; and no power to appropriate real property hereafter conferred shall extend to such real property unless in the Act conferring the power it is made in express terms to apply to such real property.

(2) The provisions of subsection 1 shall apply to real property owned by or vested in any university or college federated with the University.

18.—(1) The property real and personal vested in the Board shall not be liable to taxation for provincial, municipal or school purposes, but shall be exempt from every description of taxation; provided, always, that except as mentioned in subsection 2 the interest of every lessee and occupant of real property vested in the Board shall be liable to taxation.

(2) The liability to taxation of the interest of a lessee or occupant mentioned in this section shall not extend to the interest of a lessee or occupant being a member of the teaching staff or an officer or servant of the University or of University College who, or being an association of under-graduates or an incorporated society of under-graduates or of graduates and undergraduates, which is the lessee

or

or occupant of any part of the property commonly known as the University Park, composed of the north halves of Park lots numbers eleven, twelve and thirteen in the first concession from the Bay, in the Township of York (now in the City of Toronto), and including that part of park lot number fourteen in the said first concession, described in a certain conveyance to Her late Majesty Queen Victoria, registered as number 8654R in the registry office of the eastern division of the City of Toronto, but the interest of every such lessee or occupant shall be exempt from taxation.

(3) Those parts of the lots mentioned in subsection 2 which are now or hereafter may be owned, leased or occupied by any federated university or federated college for the purposes of such university or college shall also be exempt from taxation in the same way and to the same extent as the real property vested in the Board is by subsection 1 exempted from taxation.

Endowment of
chairs or
scholarships.

19. Any person with the approval of the Board may, under and subject to such terms and conditions as he may prescribe, endow a chair or found a scholarship in the University or University College, or aid the University and University College and each of them by providing an endowment for any other purpose or object in connection therewith.

Board of
Governors.

20. There shall be and is hereby constituted a Board of Governors of the University and University College.

Incorporation
of Board.

21. The Board shall be a body corporate by the name and style of "The Governors of the University of Toronto," and shall have all the rights, powers and privileges mentioned in subsection 25 of section 8 of *The Interpretation Act*, and also the power to take and hold real property for the purposes of the University and of University College without license in mortmain.

Board to be
deemed suc-
cessor to trustees.

22. The Board shall not be deemed to be a new corporation, but shall be taken to be and shall be the successor of "The Trustees of the University of Toronto," with the enlarged rights, powers and privileges conferred by this Act.

Pending
proceedings.

23. Any action or proceeding now pending in any court may be continued to be prosecuted or defended, as the case may be, in the name of "The Trustees of the University of Toronto," or the name of the Board may at its option be substituted therefor.

Composition
of Board.

24. The Board shall consist of the Chancellor and the President of the University, who shall be *ex-officio* members thereof, and eighteen persons appointed by the Lieutenant-Governor in Council.

25. No person shall be eligible for appointment as a member of the Board unless he is a British subject, and a resident of the Province of Ontario. Disqualifications.

26. One of the members of the Board shall be appointed by the Lieutenant-Governor in Council to be the chairman thereof. Chairman.

27. The Board may appoint one of its members to be Vice-Chairman, and, in case of the absence or the illness of the Chairman, or of there being a vacancy in the office of Chairman, the Vice-Chairman shall act for and have all the powers of the Chairman, and an entry in the minutes of the Board declaring that any of the said causes for the appointment of a Vice-Chairman exists shall be conclusive evidence of the fact so declared. Vice-chairman.

28. Unless and until otherwise provided by the Board, seven members thereof shall be necessary to constitute a quorum. Quorum.

29. Notwithstanding any vacancy in the Board, as long as there are at least ten members thereof it shall be competent for the Board to exercise all or any of its powers. Ten members may exercise powers.

30. The appointed members of the Board, except those who shall be first appointed after the passing of this Act, shall hold office for six years. Term of office.

31. Of the first appointed members of the Board, 6 shall be appointed and hold office for two years; 6 for four years, and the remaining 6 for six years, and all of them until their successors are appointed. Term of office of first members.

32. The appointed members of the Board shall be eligible for re-appointment. Members may be re-appointed.

33. The appointed members of the Board and any or either of them may be removed from office by the Lieutenant-Governor in Council. Removal from office.

34. The head of University College, the head of a federated university, or of a federated or an affiliated college, a member of the teaching staff of the University, of University College, of a federated university, or of a federated or affiliated college, shall not be eligible to be appointed as a member of the Board. Heads of colleges, federated universities, etc., ineligible.

35. If a member of the Board, after his appointment, accepts or occupies any of the said offices or positions, or goes to reside out of the Province, or becomes insane or otherwise incapable of acting as a member of the Board, he shall *ipso facto* vacate his office, and a declaration of the existence of such vacancy entered upon the minutes of the Board shall be conclusive evidence thereof. Vacancies.

Filling
vacancies.

36. In the case of a vacancy in the Board, caused by death, resignation or otherwise, which shall happen before the term of office for which a member has been appointed has expired, the vacancy shall be filled by the appointment by the Lieutenant-Governor in Council of a successor to the member who has died, or resigned, or otherwise ceased to be a member, who shall hold office for the remainder of the latter's term of office.

Government,
etc., of Univers-
ity vested in
Board.

37. The government, conduct, management and control of the University and of University College, and of the property, revenues, business and affairs thereof, shall be vested in the Board.

Powers of
Crown trans-
ferred to Board.

38. All the powers over, in respect of, or in relation to the University and University College and each of them which now are or may be exercised by the Lieutenant-Governor, save only such powers as are by this Act expressly reserved to the Lieutenant-Governor in Council, are hereby, subject to the provisions of this Act, vested in the Board.

Powers of
Board.

39. Without thereby limiting the general powers by this Act conferred upon or vested in the Board, it is hereby declared that the Board shall have the following powers:

Conduct of
proceedings.

(1) To make rules and regulations pertaining to the meetings of the Board and its transactions, for fixing the quorum of the Board, and for the appointment of such committees as it may deem necessary, and for conferring upon any of such committees power and authority to act for the Board in and in relation to such matters as the Board may deem it expedient to delegate to a committee with power to act for the Board.

Appointment
of President,
Deans, Profes-
sors, etc.

(2) To appoint the President of the University, the Principal of University College, the Deans of all the faculties, the Librarian, the Bursar, the Registrar of the University, the Registrar of University College, the professors, teachers and instructors of and in the University and in University College, and all such officers, clerks, employees and servants as the Board may deem necessary for the purposes of the University and University College or either of them, and to fix their salaries or remuneration, and to define their duties, except those of the Librarian, and their tenure of office or employment, which, unless otherwise provided, shall be during the pleasure of the Board. Provided,

Proviso.

always, that no person shall be appointed as Principal of University College, or as a Dean of any faculty, or as a member of the teaching staff of the University, or of any faculty thereof, or of University College, unless he shall have been first nominated for the position to which it is proposed to appoint him by the President of the University, and provided also that no Dean

Proviso.

of

of a faculty or member of the teaching staff of the University, or of any faculty thereof, or of University College, shall be promoted, and no principal of University College or Dean of a faculty or member of such teaching staff shall be removed from office except upon the recommendation of the President of the University, but this proviso shall not apply where there is a vacancy in the office of President.

(3) To make regulations respecting and to provide for the retirement and superannuation of any of the persons mentioned in subsection 2, or the payment of a gratuity to any of them upon retirement, and to provide that any superannuation or retiring allowance or gratuity shall be paid out of a fund which may be created for that purpose either with the moneys of the Board or by contributions thereof from the persons aforesaid, or partly by both. Superannuations and retirements.

(4) Subject to the limitations imposed by any trust as to the same, to invest all such moneys as shall come to the hands of the Board, and shall not be required to be expended for any purpose to which it lawfully may be applied, in such manner as to the Board may seem meet. Investments.

(5) To purchase and to take and hold by gift or devise real property for the purposes of the University and University College, or either of them, without license in mortmain, and every person shall have the unrestricted right to devise and bequeath property, real and personal, for the purposes of the University and University College, or either of them, to the Board, or otherwise for such purposes, any law to the contrary notwithstanding. Acquiring and holding real property.

(6) To purchase and acquire all such property as the Board may deem necessary for the purposes of the University and University College, or either of them. Acquiring property for a University.

(a) The power conferred by this subsection shall include that of purchasing the interest of any lessee in any real property vested in the Board which is under lease.

(7) Without the consent of the owner thereof or any person interested therein to enter upon, take, use and appropriate all such real property as the Board may deem necessary for the purposes of the University and University College, or either of them, making due compensation therefor to the owners and occupiers thereof, and all persons having any interest therein. Expropriation of lands.

(8) The provisions of *The Municipal Arbitrations Act* and of sections 437 to 467, both inclusive, of *The Consolidated* Application of Rev. Stat., c. 227 and 3 Edw. VII., c. 19.

Municipal

Municipal Act, 1903, shall *mutatis mutandis* apply to the Board, and to the exercise by it of the powers conferred by subsection 7, and where any act is by any of the said provisions required to be done by the clerk of a municipality, or at the office of such clerk, the like act shall be done by the Bursar of the University, or at his office (as the case may be).

Acquiring and maintaining real property for athletic purposes.

(9) To acquire, hold, maintain and keep in proper order and condition such real property as the Board may deem necessary for the use of the students of the University and University College, and each of them, for athletic purposes, and to erect and maintain such buildings and structures thereon as it may deem necessary.

Physical training.

(10) To make such regulations and provide such means for the physical examination, instruction and training of the students of the University and of University College as to the Board may seem meet.

Selling and leasing lands.

(11) To sell any of the real property vested in the Board or to lease the same for any period not exceeding twenty-one years to commence in possession with such right of renewal and under and subject to such rents, covenants, agreements and conditions as to the Board may seem meet.

Expenditure of funds in maintenance and improvements.

(12) To lay out and expend such sums as the Board may deem necessary for the support and maintenance of the University and University College, and each of them, and for the betterment of existing buildings, and the erection of such new buildings as the Board may deem necessary for the use or purposes of the University and University College, and of each of them, and for the furnishing and equipment of such existing and newly erected buildings.

Residences and dining halls, etc.

(13) To lay out and expend such sums as the Board may deem necessary for the erection, equipment, furnishing and maintenance of residences and dining halls for the use of the students of the University and of University College, and of each of them, whether such students be graduates or undergraduates, and to acquire and take over from any corporation any rights and powers possessed by it in respect of University residences and any property vested in it, on such terms as may be agreed on between such corporation and the Board, and such corporation is hereby empowered to enter into and to carry into effect any agreement for the purposes aforesaid, and upon such agreement being completed such corporation shall, if so provided by the terms of the agreement, be dissolved, and its rights, powers and property be vested in the Board.

Control of residences, etc.

(14) To make such rules and regulations as may to the Board seem meet for the management, government and control of such residences and dining halls.

(15)

(15) To establish such faculties, departments, chairs and courses of instruction in the University, and such departments, chairs and courses of instruction in University College in any subject except theology, as to the Board may seem meet.

Establishing
faculties, de-
partments, etc.

(16) To provide for the federation with the University of any college established in this Province for the promotion of Art or Science, or for instruction in Law, Medicine, Engineering, Agriculture or any other useful branch of learning, on such terms as to representation on the Senate, and otherwise, as to the Board may seem meet, and to enter into any agreement which may be deemed necessary to effectuate such federation.

Federation of
colleges.

(17) To provide for the affiliation with the University of any college established in Canada for the promotion of Art or Science, or for instruction in Law, Medicine, Engineering, Agriculture or any other useful branch of learning, on such terms as to representation on the Senate and otherwise as to the Board may seem meet, and to enter into any agreement which may be deemed necessary to effectuate such affiliation.

Affiliation of
colleges.

(18) To provide for the dissolution of any such affiliation and of any existing affiliation and for the modification or alteration of the terms thereof.

Dissolution of
affiliation.

(19) To fix and determine the fees to be paid for post-graduate instruction, and for instruction in the faculties of medicine and applied science and engineering, and in any other faculty that may hereafter be established, the fees to be paid by regular and occasional students in the University and in University College for enrolment therein, the library fees, the laboratory fees, the gymnasium fees, the fees for physical examination and instruction, and the fees for examinations, degrees and certificates, and when a federated college by arrangement with the proper authorities in that behalf teaches any part of the course in Arts, to make such a reduction in the fees, payable by the students so taught in such college as may to the Board seem reasonable.

Fees.

(20) To enter into such arrangements with the governing body of any secondary or primary school as the Board may deem necessary for the purpose of or in connection with the academic work of the University or of any faculty or department thereof, and the governing body of any such school which is a Collegiate Institute, a High School, a Technical School, or a public school, shall have authority, with the approval of the Lieutenant-Governor in Council, to make such arrangements with the Board.

Arrangements
with secondary
and primary
schools.

Alterations in constitution.

40. The Board shall have power to modify, alter and change the constitution of any body constituted or continued by this Act, except the Senate, and to create such new bodies as may be deemed necessary for the purpose of carrying out the objects and provisions of this Act, and also to confer upon the bodies constituted or continued by this Act, or any or either of them, and upon any new body which hereafter may be constituted, such powers as to the Board may seem meet, but nothing herein contained is to be taken to authorize any abridgement of the powers by section 54 of this Act conferred upon the Senate.

Committee of students.

41.—(1) The Board may make provision for enabling the students of the University, University College and the federated universities and federated colleges to appoint a representative committee of themselves to be chosen in such manner as shall be approved by the Board, and which shall be the recognized official medium of communication on behalf of such students between them and the Board, and which shall have the right to make communications through the President of the University to the Board upon any subject in which they are or may deem themselves to be interested. Provided, always, that nothing herein contained shall take away or impair the right of any student of or in the University or University College to make complaint to the governing bodies thereof or to the Board in respect of any matter as to which he is or may deem himself to be entitled to complain; but every such complaint shall be transmitted through the President to the Board or to the proper governing body (as the case may be), and in no other manner whatsoever.

Proviso.

Control of federated institution over students not affected.

(2) Nothing in this section contained is intended to or shall impair or affect the right of control which any federated university or college possesses over its students.

Endowment not to be impaired without consent of Government.

42.—(1) The Board shall not incur any liability or make any expenditure which has the effect of impairing the present endowment of the University and University College, or any addition to such endowment which shall hereafter be made, unless an estimate therefor shall have been first made and approved by the Lieutenant-Governor in Council.

"Endowment," meaning of.

(2) In this section the term "endowment" shall mean and include the real property which is by this Act vested in the Board, the proceeds of any part thereof which shall hereafter be sold, and the moneys now invested in mortgages or other securities which are by this Act vested in the Board.

Expenditure beyond annual income.

(3) The Board shall not incur any liability or make any expenditure for the purchase of land or the erection of buildings unless the same can be met and shall be provided for out of the annual income of the year, or shall be sanctioned by the Lieutenant-Governor in Council.

43. Save as in this Act otherwise expressly provided, the action of the Board in any matter with which it may deal shall be by resolution or by statute, as the Board may determine, but it shall not be essential to the validity of any such resolution or statute that it be under the corporate seal of the Board if it be authenticated in the manner prescribed by the Board.

Action of Board
by resolution
or statute.

44.—(1) The accounts of the Board shall be audited at least once a year by the Provincial Auditor, or by some person appointed by the Lieutenant-Governor in Council for that purpose.

Accounts of
Board, audit of

(2) The Board shall make an annual report of its transactions to the Lieutenant-Governor in Council, in which shall be set forth in detail the receipts and expenditures for the year ended on the next preceding thirtieth day of June, and of the investments as they stood at the end of such year, and such other particulars as the Lieutenant-Governor in Council may from time to time require.

Annual report
to Government.

(3) Such report shall be transmitted to the Provincial Secretary on or before the first day of December next after the close of the year for which it is made, and shall be laid before the Legislative Assembly within the first ten days of its then next session.

When report to
be transmitted.

45. No action shall be brought against the Board or against any member thereof on account of anything done or omitted by him in the execution of his office without the written consent of the Attorney-General for Ontario.

Consent of
Attorney-Gen-
eral to actions
against Board.

46. If any question shall arise as to the powers and duties of the Council of University College, of the council of any faculty, of the Caput, of the President, of the Principal of University College, or of any officer or servant of the University or of University College, the same shall be settled and determined by the Board, whose decision shall be final.

Powers of
Board as to
deciding ques-
tions as to
powers and
duties.

THE SENATE.

47. The Senate of the University shall be composed as follows:

Senate, how
composed.

(1) The Chancellor of the University, the Chairman of the Board, the President of the University, the Principal of University College, the President or other head of every federated university and federated college, the Deans of the faculties of the University, and all persons who at any time have occupied the office of Chancellor or Vice-Chancellor of the University shall be *ex-officio* members.

Chancellor and
heads of
colleges, etc.

(2)

Faculties, re-
presentation of.

(2) The Faculties shall be entitled to representation as follows:

The Faculty of Arts of the University by the professors (not including associate professors) of the faculty, each of whom shall be a member of the Senate;

The Faculty of Medicine by five members;

The Faculty of Applied Science and Engineering by five members;

The Faculty of University College by three members;

The Faculty of Arts of Victoria University by three members;

The Faculty of Arts of Trinity College by three members;

And the Faculty of Arts of every university hereafter federated with the University by three members.

The representatives of the Faculties of the University except of the Faculty of Arts, and the representatives of the Faculty of University College and of the Faculties of Arts of the federated universities, shall be chosen by the members thereof.

Federated
universities
and colleges,
law society
and affiliated
colleges, re-
presentation of.

(3) One member appointed by each federated university, two members appointed by each federated college, one member appointed by the Law Society of Upper Canada, and subject to any Statute in that behalf one member appointed by the governing body of every affiliated college which now is or shall hereafter be entitled to appoint a representative.

Graduates, re-
presentation of.

(4) Twelve members elected by the graduates in Arts in the University who at the time of graduation were enrolled in University College; five members elected by the graduates in Arts and Science of Victoria University and the graduates in Arts of the University who at the time of graduation were enrolled in Victoria College; five members elected by the graduates in Arts and Science of Trinity College and the graduates in Arts of the University who at the time of graduation were enrolled in Trinity College; four members elected by the graduates in Medicine; two members elected by the graduates in Applied Science and Engineering; two members elected by the graduates in Law; two members elected by the graduates in Agriculture; and four members elected by such persons as hold certificates as Principals of Collegiate Institutes or High Schools or Assistants therein, and are actually engaged in teaching in a Collegiate Institute or a High School.

Universities
hereafter fed-
erated, repre-
sentation of.

(5) A university hereafter federated with the University shall be entitled to be represented on the Senate in the proportion of one representative for every one hundred graduates

graduates in Arts, and for any fraction of one hundred over one-half the federated university shall be entitled to one additional representative; provided, always, that in no case shall the number of such representatives exceed five.

(6) If and when any new faculty is established in the University provision may be made by the Senate, subject to confirmation by the Board, for the representation on the Senate of the graduates in such faculty.

Faculties hereafter established.

48. Members of the teaching staff of the University, of University College, of the federated universities, and of the federated and affiliated colleges, shall not be eligible for election by any of the graduate bodies.

Members of teaching staffs not to be elected.

49. No person shall be eligible for election as Chancellor or for election or appointment as a member of the Senate unless he is a British subject and a resident of the Province of Ontario.

Chancellor must be a British subject, resident in Ontario.

50. The tenure of office of the elected and the appointed members of the Senate shall be for four years, and until their respective successors are elected or appointed.

Tenure of office of Senate.

51. If any elected or appointed member of the Senate resigns, goes to reside out of the Province, becomes insane or incapable of acting, or becomes a member of the teaching staff of any of the bodies mentioned in section 48, not being the body which he has been appointed to represent, his seat shall *ipso facto* become vacant, and a declaration of the existence of any vacancy entered upon the minutes of the Senate shall be conclusive evidence thereof.

Vacancies in Senate.

52. If any vacancy shall occur from any cause, the same shall be filled, in the case of an appointed member, by the body possessing the power of appointment; and in case of a member elected by the graduates or by any class of graduates, or by the principals of Collegiate Institutes and High Schools, and assistants therein, such vacancy shall be filled by the Senate, and the persons appointed or elected to fill such vacancy shall hold office for the remainder of the term of office of the member whose seat has become vacant.

Filling vacancies in Senate.

53. If any question shall arise touching the election of the Chancellor or of any elective member of the Senate, or the right of any person to be or sit or act as Chancellor or as a member of the Senate, the same shall not be raised or determined in or by any action or proceeding in any

Disputes as to election or right to sit.

court, but shall be determined by the Senate, whose decision shall be final.

Powers and
duties of
Senate.

54. In addition to such others as are expressly mentioned in this Act, the Senate shall have the following powers and perform the following duties:

Regulating
proceedings.

(1) To provide for the regulation and conduct of its proceedings, including the determining of the quorum necessary for the transaction of business;

Degrees.

(2) To provide for the granting of and to grant degrees, including honorary degrees and certificates of proficiency, except in theology;

Exhibitions,
etc.

(3) To provide for the establishment of exhibitions, scholarships and prizes;

Affiliation of
colleges.

(4) To provide for the affiliation with the University of any college established in Canada for the promotion of Art or Science, or for instruction in Law, Medicine, Engineering, Agriculture or any other useful branch of learning, and for the dissolution of such affiliation, or of any existing affiliation, or the modification or alteration of the terms thereof;

Cancelling or
suspending
degrees.

(5) To provide for the cancellation, recall and suspension of the degree, whether heretofore or hereafter granted or conferred, of any graduate of the University who has heretofore been or shall hereafter be convicted in the Province of Ontario or elsewhere of an offence which, if committed to Canada, would be an indictable offence, or who has been or shall hereafter be guilty of any infamous or disgraceful conduct or of conduct unbecoming a graduate of the University; for erasing the name of such graduate from the roll or register of graduates and for requiring the surrender for cancellation of the diploma, certificate or other instrument evidencing the right of such graduate to the degree of which he shall have been deprived under the authority of any such statute; and for providing the mode of inquiring into and determining as to the guilt of such graduate, and the procedure generally in respect of any of the said matters, and for the purpose of making such inquiry the Senate and the committees thereof shall have all the powers which are by *The Revised Statute respecting Inquiries concerning Public Matters* conferred upon commissioners appointed under the provisions of the said Revised Statute;

Rev. Stat.
c. 19.

Establishment
of faculties
departments,
etc.

(6) To provide for the establishment of any faculty, department, chair and course of instruction in the University;

Departments,
etc., in Univer-
sity College.

(7) To provide for the establishment of any department, chair and course of instruction in University College in any subject except theology;

(8)

(8) To appoint scrutineers for the counting of the votes for Chancellor and for elective members of the Senate; Scrutineers at elections.

(9) To consider and to determine on the report of the respective faculty councils as to the courses of study in all the faculties; Considering reports of faculty councils.

(10) To consider and determine as to all courses of study to which subsection 9 does not apply; Courses of study.

(11) To consider and to determine on the report of the respective faculty councils as to the appointment of examiners, and the conduct and results of the examinations in all the faculties; Examiners and Examinations.

(12) To provide for the appointment of the examiners for and for the conduct of all University examinations other than those in the faculties of the University and for the determining of the results of such examinations. University examiners and examinations.

(13) To hear and determine appeals from decisions of the faculty councils upon applications and memorials by students and others; Appeals from faculty councils.

(14) To consider all such matters as shall be reported to it by the Council of any faculty, and to communicate its opinion or action thereon to the Council; Reports from faculty councils.

(15) To provide for the representation on the Senate of any faculty which may hereafter be established in the University, and of the graduates in such faculty, if, in the opinion of the Senate, provision should be made for separate representation of such graduates; Representation of new faculties on Senate.

(16) To provide for the preparation and publication of the Calendars, which shall include those of University College and the federated universities, or such of them as may desire that their calendars shall be inserted therein; Calendars.

(17) To make rules and regulations for the management and conduct of the Library, and to prescribe the duties of the Librarian; Library and librarian.

(18) To make such changes in the composition of the Senate as may be deemed expedient; Changing composition of Senate.

(19) To make such recommendations to the Board as may be deemed proper for promoting the interests of the University and of University College, or for carrying out the objects and provisions of this Act. Recommendations to Board.

55.—(1) Nothing in section 54 contained shall authorize the Senate to make any change in its composition which shall affect the rights of representation thereon of a federated university or the faculty of Arts thereof, or of a federated

ated college, or of the graduates of a federated university, unless the same shall be assented to by the federated university or college affected by such change.

Senate may take initiative in changing courses of study.

(2) Nothing in this Act contained shall prevent the Senate from taking the initiative in determining as to any course of study or any change therein, but before passing any statute providing therefor the Senate shall refer to the appropriate faculty council the proposition under consideration for inquiry and report thereon by such faculty council.

Statutes of Senate as to certain matters to be subject to approval of Board.

56. A certified copy of every statute or other enactment of the Senate providing for any of the matters or things mentioned in section 54 and therein numbered 3, 4, 5, 6, 7, 9, 10, 15, 17 and 18 shall within ten days after the passing thereof, be transmitted to the Board, and no such statute or enactment shall have force or effect until it has been approved by the Board.

Convocation.—how composed.

57. Convocation shall consist of all the graduates of the University and of the federated universities.

Powers of convocation.

58. Convocation shall have power:

Regulations as to proceedings.

(1) To make regulations for governing its proceedings and the mode of conducting the same, and keeping records thereof;

Appointment and duties of clerk.

(2) To appoint a Clerk of Convocation, and to prescribe his duties;

Presiding officer.

(3) In case of the absence of the Chancellor, to elect a presiding officer for any meeting thereof;

Representations to Board and Senate.

(4) To consider all questions affecting the interests and well-being of the University, and to make representations thereon to the Board and to the Senate;

Fee of members

(5) To require a fee to be paid by the members as a condition of their being placed on the register of members, and to provide that no member whose name does not appear in such register shall be entitled to take any part in the proceedings of Convocation;

Executive Committee.

(6) To appoint an Executive Committee and to confer upon it such powers as to Convocation may seem meet.

Meetings of convocation.

59. Convocation shall meet when convened by the Chancellor, and also at such times and places as may be fixed by Convocation by regulation in that behalf, and in the absence of such regulation, as may be fixed by Convocation or by the Executive Committee thereof, and it shall be the duty of the Board to provide a suitable place for its meetings.

60. Notice of all meetings shall be given in such manner as may be prescribed by Convocation by regulation in that behalf, and in the absence of such regulation as may be directed by Convocation or by the Executive Committee thereof.

Notice of meetings.

61. A true copy of the minutes of the proceedings of every meeting of Convocation shall be transmitted without unnecessary delay to the Board and to the Senate.

Minutes to be sent.

62. All questions shall be decided by the vote of the majority of the members present.

Majority vote to decide.

63. The Chairman or presiding officer shall be entitled to vote as a member of Convocation, and any question on which there is an equality of votes shall be deemed to be negatived.

Chairman may vote as member

64. No question shall be decided at any meeting unless at least twenty-five members are present.

Quorum.

65. If at least twenty-five members by writing under their hands, setting forth the objects thereof, require the Chairman to convene a special meeting of Convocation, it shall be the duty of the Chairman to call the same without any unnecessary delay.

Special meetings,—how called.

66. No matter shall be considered at any such meeting except that for the consideration of which the meeting shall have been called.

Special meeting to be confined to object.

67. There shall be a Chancellor of the University, who shall be elected by the graduates thereof at the time and in the manner hereinafter mentioned.

Chancellor.

68. The Chancellor shall be the Chairman of Convocation.

Chancellor to be chairman of convocation.

69. All degrees shall be conferred by the Chancellor, or, in case of his absence, or of their being a vacancy in the office of Chancellor, by the President, or, in case of the absence of both of them, or of both offices being vacant, by some member of a faculty of the University, to be appointed for the purpose by the Senate.

Degrees to be conferred by chancellor or president.

70. The Chancellor shall hold office for four years, and until his successor is chosen.

Term of office.

Vacancy in
office of
chancellor.

71. If the Chancellor dies, goes to reside out of the Province, or becomes insane or otherwise incapable of acting, he shall *ipso facto* vacate his office, and a declaration of the existence of such vacancy by the Senate entered upon its minutes shall be conclusive evidence thereof.

Filling
vacancy.

72. In the case of a vacancy in the office of Chancellor caused by death, resignation or otherwise, before the term of office for which the Chancellor was elected has expired, the vacancy shall be filled by the appointment by the Senate at a special meeting thereof called for the purpose, of which at least thirty days' notice shall be given, of a successor, who shall hold office for the remainder of the term for which the Chancellor shall have been elected.

Council of
Faculty of
Arts.

73. There shall be a faculty council to be known as "The Council of the Faculty of Arts."

Composition of
council.

74. It shall consist of the President of the University, the Principal of University College, the President or other head of every federated university, the Dean of the Faculty of Arts, the teaching staff in the Faculty of Arts of the University, the teaching staff of University College, the teaching staff in the Faculty of Arts of Victoria College, of Trinity College, and of every other university hereafter federated with the University, one professor in the department of religious knowledge appointed by the theological faculty in each federated university whether now or hereafter federated, and one professor appointed by each of the federated colleges. Provided, always, that the lecturers and instructors whose appointments are temporary, shall not for the purpose of this section be deemed to be members of the teaching staff, and provided, also, that the lecturers and instructors who are members of the Council shall act as assessors only, and shall not be entitled to vote.

Proviso.

Proviso.

Powers and
duties of
council.

75. The powers and duties of the Council of the Faculty of Arts shall be:

Regulating
procedure.

(1) To make rules and regulations for governing its proceedings, including the determining of the quorum necessary for the transaction of business;

Courses of
study.

(2) To fix and determine the courses of study in Arts, subject to the approval of the Senate;

Examiners and
examinations.

(3) Subject to the approval of and confirmation by the Senate, to appoint the examiners for and to conduct the examinations of the Arts courses, and to determine the results of such examinations;

(4) To deal with and, subject to an appeal to the Senate, to decide upon all applications and memorials by students and others in connection with the Faculty of Arts; Applications and memorials by students.

(5) To consider and report to the Senate upon such matters affecting the Faculty of Arts as to the Council may seem meet. Report to Senate.

(6) For the purposes of this section the term "the Faculty of Arts" shall mean and include the teaching bodies and persons mentioned in section 74. "Faculty of Arts," meaning of.

76. There shall also be a Council for every other faculty of the University now or hereafter established, and a Council for University College. Council for every other faculty.

77. The Council of University College shall consist of the Principal and the teaching staff thereof and the Councils of the said other faculties shall consist of the respective teaching staffs thereof. Council of University College.

78. "Teaching staff" shall have the limited meaning given to it in the provisions of this Act relating to the Council of the Faculty of Arts, and the lecturers and instructors who are members of such Councils shall act as assessors only, and shall not be entitled to vote. "Teaching staff," meaning of.

79. The powers and duties of the Faculty Councils provided for by section 76 shall be: Powers and duties of faculty councils.

(1) To make rules and regulations governing their proceedings, including the determining of the quorum necessary for the transaction of business; Regulating procedure.

(2) Subject to the provisions of this Act, and to the approval of the Board, to make rules and regulations for the government, direction and management of their respective faculties and the affairs and business thereof; Rules and regulations.

(3) To fix and determine the courses of study in their respective faculties, subject to the approval of the Senate; Courses of study.

(4) Subject to the approval of and confirmation by the Senate, to appoint the examiners for and to conduct the examinations of the courses in their respective faculties, and to determine the results of such examinations; Examiners and examinations.

(5) To deal with and, subject to an appeal to the Senate, to decide upon all applications and memorials by students and others in connection with their respective faculties; Applications and memorials from students.

(6) To consider and report to the Senate upon such matters affecting their respective faculties as to the Councils may seem meet. Report to Senate.

80. Except in the case of the Council of the Faculty of Arts, the Dean shall be Chairman of the Council of the Faculty of which he is Dean. Dean to be chairman of every faculty except Arts.

Council of
University Col-
lege, powers
and duties.

81. The powers and duties of the Council of University College shall be :

Governing
procedure.

(1) To make rules and regulations for governing its own proceedings, including the determining of the quorum necessary for the transaction of business;

Management of
University
College.

(2) Subject to the provisions of this Act and to the approval of the Board, to make rules and regulations for the government, direction and management of University College and the affairs and business thereof;

Examiners and
examinations.

(3) To appoint the examiners for and to conduct the examinations of University College;

Report to Board
and Senate.

(4) To consider and report to the Board and to the Senate or to either of them upon such matters affecting University College as to the Council may seem meet.

Principal to be
chairman of
council.

82. The Principal of University College shall be the Chairman of the Council thereof.

Librarian to be
ex-officio mem-
ber of councils.

83. The Librarian of the University shall be *ex-officio* a member of all faculty councils and of the Council of University College.

"Caput," how
composed.

84. Unless and until otherwise provided by the Board, there shall be a Committee to be called the Caput, which shall be composed of the President of the University, who shall be the Chairman thereof; the Principal of University College, the heads of the federated universities, the heads of the federated colleges, and the Deans of the faculties of the University, and the presence of at least five of the members of the caput shall be necessary to constitute a quorum for the transaction of business.

Powers and
duties.

85. The Caput shall have the following powers and perform the following duties :

Time tables for
lectures, etc.

(1) To fix and determine the time tables for the lectures and other instruction in the University which affect more than one faculty, or which affect University College, or a federated university or college;

Authorizing
lecturing and
teaching.

(2) To authorize such lecturing and teaching in the University by others than the duly appointed members of the teaching staff thereof, and to prevent all lecturing and teaching not so authorized;

Disciplinary
powers.

(3) To exercise the powers as to discipline conferred upon it by sections 96 to 99 inclusive of this Act;

Matters assign-
ed to caput by
Board or
Senate.

(4) Generally to deal with all such matters as may be assigned to it by the Board or by the Senate, provided, in the latter case, that such matters fall within the powers conferred upon the Senate by this Act.

86. A copy of every general rule or regulation made by the Caput shall be transmitted to the Board, and no such general rule or regulation shall have any force or effect until it has been approved by the Board.

Rules or regulations to be approved by Board.

87. The Caput may advise the President in all matters affecting the academic interests of the University, but the powers of the President shall not be subject to its control.

Caput may advise president.

88.—(1) There shall be a President of the University who shall be the chief executive officer thereof, and shall have general supervision over and direction of the academic work of the University, and the teaching staff thereof, and the officers and servants employed in or in connection with such work, including the Registrar of the University, and shall also have such other powers and perform such other duties as from time to time may be conferred upon or assigned to him by the Board.

President of University.

(2) He shall be a member of all faculty councils, and Chairman of the Council of the Faculty of Arts.

To be a member of all faculty councils.

(3) He shall be Chairman of the Senate.

Chairman of Senate.

(4) In the absence of the Chancellor, he shall confer all degrees.

To confer degrees in absence of chancellor.

(5) He shall call meetings of the Council of the Faculty of Arts in accordance with the regulations of the Council, and also when requested to do so by at least five members thereof.

To call meetings of Council of Faculty of Arts.

(6) He shall have power to suspend any member of the teaching staff of the University and of University College, and any officer and servant mentioned in subsection 1 and when he shall exercise such power he shall forthwith report his action to the Board, with a statement of his reasons therefor.

Suspending members of staff.

(7) He shall make recommendations to the Board as to all appointments to and all promotions in, and removals from the teaching staff of the University, and of University College (including the Principal), and of the officers and servants mentioned in subsection 1.

Recommendations to Board as to appointments, etc.

(8) He shall have the right to summon meetings of any faculty council, and of the Council of University College, whenever he may deem it necessary to do so, and to take the chair at any meeting thereof at which he may be present.

Summoning meetings of faculty councils.

(9) He may also, at his discretion, convene joint meetings of all the faculty Councils and the Council of University College or of any two or more of them.

Convening joint meeting of councils.

(10) He shall report annually to the Board and to the Senate upon the progress and efficiency of the academic work of the University and of University College, and as

Annual report to Board.

to

to their progress and requirements, and make such recommendations thereon as he may deem necessary, and he shall also report upon any matter which may be referred to him by the Board or by the Senate.

Mention of
express powers
not to limit
general powers.

(11) The enumeration of the express powers mentioned in subsections 4 to 11, inclusive, shall not be taken to limit the general powers conferred by subsection 1.

President may
appoint a sub-
stitute in case
of absence or
illness.

89. Subject to the provisions of section 91 in case of his absence or illness the President may appoint a member of any faculty to act in his stead, and if there is a vacancy in the office of President, or if no appointment is made, the Board may appoint a member of any faculty to act *pro tempore*, and, failing an appointment, and until it is made, the Dean of the faculty of Arts of the University shall act as President *pro tempore*.

Powers of
President *pro*
tem.

90. The person acting pursuant to any such appointment shall have and may exercise all the powers and shall perform all the duties of President, but not those as to appointments, promotions and removals, unless he shall be requested by the Board to do so.

Vice-President
to act as Presi-
dent *pro tem*.

91. When and so long as there is a Vice-President of the University he shall act for the President in case he is absent or ill, if there is a vacancy in the office, or at the request of the President, and while so acting the Vice-President shall have and may exercise all the powers and shall perform all the duties of President, but not those as to appointments, promotions, and removals, unless he shall be requested by the Board to do so.

Principal of
University
College.

92.—(1) There shall be a principal of University College, who shall be the chief executive officer thereof, and shall have general supervision over and direction of the academic work of University College and the teaching staff thereof, and the officers and servants employed in or in connection with such work, including the Registrar of University College, and shall also have such other powers and perform such other duties as from time to time may be assigned to him by the Board.

To be a member
of faculty of
Arts.

(2) He shall be a member of the Council of the Faculty of Arts.

To call meet-
ings of Council
of University
College.

(3) He shall call meetings of the Council of University College in accordance with the regulations of the Council, and when requested to do so by at least five members thereof, and also whenever he may see fit.

(4) He shall have power to suspend any member of the teaching staff of University College, and any officer and servant mentioned in subsection 1, and when he shall exercise such power he shall forthwith report his action to the President with a statement of his reasons therefor.

May suspend members of staff of College.

(5) He shall report annually to the Board and to the Senate upon the progress and efficiency of the academic work of University College, and as to its progress and requirements, and make such recommendations thereon as he may deem necessary, and he shall also report upon any matter which may be referred to him by the Board or by the Senate, and his reports shall, in all cases, be made through the President.

Annual report to Board and Senate.

(6) In case of the absence or illness of the principal he may appoint a member of the teaching staff of University College to act for him and failing an appointment and until it is made by him, or if there be a vacancy in the office of principal the senior member of the teaching staff of University College shall act as principal *pro tempore*.

Absence or vacancy in office of Principal.

93. There shall be a Registrar for the University and a Registrar for University College, and the offices shall not be held by the same person.

Registrars for university and university college.

94. The Council of University College, and the governing bodies of the federated universities and colleges, shall, respectively, have disciplinary jurisdiction over and entire responsibility for the conduct of their students in respect of all matters arising or occurring in or upon their respective college buildings and grounds, including residences.

Disciplinary jurisdiction of governing bodies.

95. The councils of such of the faculties as shall have assigned for their separate use any building or buildings and grounds, including residences, shall have disciplinary jurisdiction over and entire responsibility for the conduct of all students in their respective faculties in respect of all matters arising or occurring in or upon such building, or building and grounds.

Disciplinary jurisdiction of faculty councils.

96. In all other cases, and, save as aforesaid, as respects all students to whatsoever college or faculty they may belong, disciplinary jurisdiction shall be vested in the Caput, but the Caput may delegate its authority in any particular case or by any general regulation to the council or other governing body of the university or college or faculty to which the student belongs.

Disciplinary jurisdiction of Caput.

97. The Caput shall also have power and authority to determine by general regulation, or otherwise, to what college

Control of college associations

lege

lege, faculty or other body the control of university associations shall belong.

Powers of
Caput as to
discipline.

98. If there shall be any question as to the proper body to exercise jurisdiction in any matter of discipline which may arise, the same shall be determined by the Caput, whose decision shall be final.

Power to im-
pose fines.

99. Disciplinary jurisdiction shall include the power to impose fines.

Power to abro-
gate or change
provisions as to
discipline.

100. As respects the conduct and discipline as students of the University of all students registered in the University to whatsoever college or faculty they may belong and as respects all students enrolled in University College the provisions of sections 94 to 99 may be abrogated or changed by the Board.

First election
of Chancellor
and members
of senate,

101.—(1) The first election under this Act of the Chancellor and of the elective members of the Senate shall take place and be held in the present year, and the present incumbents of the said offices and the appointed members of the Senate, unless they shall be re-elected or re-appointed, shall cease to hold office immediately after the meeting of the Senate next following the holding of such election.

Quadrennial
elections of
senate.

(2) The elective members of the Senate shall be elected and the appointed members thereof shall be appointed thereafter quadrennially.

"Election
Register."

102. The Registrar of the University shall, after the fifteenth day of June, and before the fifteenth day of August in every year in which an election is to take place, prepare an alphabetical list to be called "The Election Register," of the names and known addresses of all graduates who are entitled to vote at any such election.

Register to be
posted up in
offices of
Registrar.

103. The election register shall be posted up in a conspicuous place in the office of the Registrar not later than the fifteenth day of August in every such year, and shall be open to inspection by any graduate entitled to vote, at all reasonable hours.

Persons not to
vote unless
names on
register.

104. No person whose name does not appear in the election register shall be entitled to vote at any such election.

When election
register is not
duly prepared.

105. If from any cause the election register is not prepared at the time and in the manner provided by this Act,

the

the Board shall make provision for the preparation thereof, and all the provisions of this Act as to the election register, except those relating to time, shall apply to the election register which shall be so prepared.

106. For the purposes of all elections at which graduates of a federated university are entitled to vote, the Registrar of such University shall on or before the fifteenth day of June in each year in which an election at which such graduates are entitled to vote is to be held, furnish to the Registrar of the University a list of the names of all graduates of such federated university who are entitled to vote, with their post office addresses as far as the same are known.

List of graduates entitled to vote to be furnished to federated university.

107. The Education Department shall, upon the application of the Registrar of the University, furnish him, on or before the first day of August in such year, with a list of all principals of and assistants in Collegiate Institutes and High Schools who are actually engaged in teaching in a Collegiate Institute or High School, with their post office addresses as far as known.

Education Department to furnish list of principals and assistants in High Schools.

108. The Registrar, in preparing the election register, shall make separate lists (1) of the graduates in Arts of the University enrolled in University College; (2) of the graduates in Arts of each federated university, including graduates of the University who were at the time of graduation enrolled in the federated university; (3) of the graduates in Medicine; (4) of the graduates in Law; (5) of the graduates in Applied Science and Engineering; (6) of the graduates of each and every other faculty in the University hereafter constituted, the graduates of which are entitled to elect representatives; (7) of the graduates in Agriculture; and (8) of the principals of and assistants in Collegiate Institutes and High Schools actually engaged in teaching in a Collegiate Institute or High School, and such lists shall be the voters' lists for the election.

Separate lists of different classes of persons entitled to vote.

109. If any person whose name appears or ought to appear in any election register complains in writing to the Registrar of the University, not later than ten clear days before the second Wednesday of the month of September in the year in which the election is to be held, that his name or that of any person which ought to appear therein has been omitted from such register or of any error in such name as it appears therein, or that the name of any person whose name ought not to be entered in the register appears therein, the Registrar shall forthwith examine into the complaint, and after such notice as he may deem necessary to

Complaints as to errors and omissions in lists.

any

any person whose name is sought to be stricken from such register, rectify the error, if any, therein.

Appeal from
decision of
Registrar.

110. The decision of the Registrar shall be subject to appeal to the President of the University.

Nomination of
chancellor.

111. No person shall be elected as Chancellor, or as a member of the Senate, unless he has been nominated as hereinafter mentioned, and every vote cast for any person not so nominated shall be void.

Nomination to
be in writing.

112. The nomination shall be in writing by a nomination paper, which shall be signed by at least ten of the persons entitled to vote at the election.

Delivery of
nomination
paper to regis-
trar.

113. The nomination paper shall be delivered at the office of the Registrar, or, if sent by mail, shall be received there not later than the first Wednesday in September of the year in which the election is to take place, and if not so delivered or received shall be invalid, and shall not be acted upon.

Refusal to
become a
candidate

114. Any person who is nominated for the office of Chancellor or as a member of the Senate may refuse to become a candidate for the office for which he shall have been nominated and he shall be deemed not to have been nominated, and his name shall not be included in the list of candidates if he shall notify the Registrar in writing of his refusal within four days after the day upon which the time for nominations shall have expired.

Election by ac-
clamation.

115. In case one person only is nominated for the office of Chancellor within the time fixed for that purpose he shall be elected to and be entitled to hold that office.

Election of
senate by ac-
clamation.

116. In case only such number of persons as are required to be elected as members of the Senate are nominated within the time fixed for that purpose the persons so nominated shall be elected to and be entitled to hold the office for which they were respectively nominated.

Report of result
of election to
senate.

117. The Registrar shall report to the Senate at its next meeting the results of any such election.

Voting papers
to be sent to
graduates.

118. In case a poll is necessary the Registrar shall on or before the second Wednesday in the said month of September send by mail to every graduate who, according to the

UNIVERSITY OF TORONTO
FACULTY UNION.

Officers:

President,

ROBERT A. FALCONER, LITT.D., LL.D., D.D.

Secretary-Treasurer,

V. E. HENDERSON.

House Committee,

G. OSWALD SMITH.

T. L. WALKER.

A. L. LANGFORD.

F. B. ALLAN.

R. J. HAMILTON.

J. C. McLENNAN.

REVENUE ACCOUNT, DECEMBER 31st, 1910.

RECEIPTS.

Fees	\$ 650 00	
Less paid in advance	15 00	
	<u>\$ 635 00</u>	
Dining Room receipts	4475 86	
Bed room receipts	460 82	
Sale of Magazines	17 00	
Sundries	11 25	
Christmas gifts to servants	56 50	
Presentation Fund	87 50	
	<u>\$5743 93</u>	
Accounts receivable:		
Fees	\$ 15 00	
Dining Room	186 40	
Bed Rooms	106 75	
	<u>308 15</u>	

EXPENDITURES.

Wages: House Account	\$240 00	
Dining Room Account	887 62	
	<u>\$1127 62</u>	
Fuel and Gas: House Account	35 85	
Dining Room Account	101 80	
Dining Room Supplies, etc.	137 65	
Telephone	3730 46	
Laundry (house)	34 00	
Office Expenses	45 90	
Repairs and Renewals: House Account	88 73	
Dining Room Account	497 17	
Magazines	89 22	
Sundries	5 00	
Christmas gifts to servants	56 50	
	<u>\$5812 25</u>	

Accounts payable: Wages	\$97 00	
Fuel	9 45	
Laundry	11 68	
Repairs and Renewals	27 05	
Dining Room	602 62	
Presentation Fund	87 50	
	<u>\$35 30</u>	

Deficit on 31st December, 1910. \$ 595 47

\$6647 55

SUMMARY OF REVENUE STATEMENT, 1910.

Total Receipts during year (after deducting \$15, paid in advance for 1911)	\$5743 93	
Amounts due to the Union on 31st December, 1910	308 15	
	<u>\$6025 08</u>	
Total Expenditures during year	\$5812 25	
Amounts due by the Union on 31st December, 1910	835 30	
	<u>6647 55</u>	
Deficit on 31st December, 1910	\$595 47	
Deduct Cash on hand at 1st Jan., 1910	553 07	
Shortage on 31st December, 1910	\$ 42 40	

BALANCE SHEET, 31st DECEMBER, 1910.

LIABILITIES.

Accounts payable	\$835 30	
Fees paid in advance	15 00	
	<u>\$850 30</u>	

ASSETS.

Accounts Receivable	\$308 15	
Cash in Bank	499 75	
Shortage as above	42 40	
	<u>\$850 30</u>	

RECEIPTS.		EXPENDITURES.	
Fees	\$565 00	Wages: House Account	\$180 00
Dining Room receipts	3074 92	Dining Room	642 50
Bed Room receipts	372 25		
Sundries (including sale of Magazines)	14 00	Fuel and Gas: House	\$822 50
	\$426 17	Dining Room	19 50
Accounts receivable:			100 46
Fees	\$ 65 00	Dining Room Supplies	119 96
Dining Room	25 80	Telephone	2848 43
Bed Rooms	54 75	Laundry (House)	17 00
	145 55	Office Expenses	53 56
		Repairs and Renewals: House Account	104 95
		Dining Room	\$141 20
			21 55
		Magazines	162 75
		Sundries	85 78
		Presentation Fund	23 41
			87 75
		Accounts payable: Wages	\$4326 09
		Fuel	\$65 00
		Laundry	5 04
		Office Expenses	3 02
		Magazines	5 00
		Telephone	14 55
		Dining Room Supplies	17 00
			256 63
			366 24
			\$4692 33
			\$520 61
		Deficit on September 30th, 1911....	

SUMMARY OF REVENUE STATEMENT, 1911.		BALANCE SHEET, 30th SEPTEMBER, 1911.	
Total Receipts during 9 months ending 30th September	\$4026 17	LIABILITIES.	
Amounts due to the Union on that date	145 55	Accounts payable	\$366 24
	\$4171 72		\$366 24
Total Expenditures during 9 months ending 30th September	\$4326 09		
Amounts due by the Union on that date	366 24		
	4692 33		
		ASSETS.	
Deficit on 30th September, 1911	\$520 61	Accounts Receivable	\$145 55
Deduct Cash on hand, January 1st, 1911	499 75	Cash on hand and in Bank	199 83
	\$20 86	Shortage as above	20 86
Shortage on 30th September, 1911			366 24

Publications on file in Faculty Union.

THE OXFORD AND CAMBRIDGE MAGAZINE.

THE QUARTERLY REVIEW.

THE NATIONAL REVIEW.

BLACKWOODS' MAGAZINE.

THE GRAPHIC.

THE SPECTATOR.

NATURE.

PUNCH.

DIE FRANKFÜRTER ZEITUNG.

DAS ECHO.

LES ANNALES POLITIQUES.

THE MAIL EDITION OF TIMES.

THE LITERARY SUPPLEMENT TIMES.

THE NATION.

THE NATION (American).

DIE FLIEGENDE BLÄTTER.

THE EVENING POST.

THE DAILY MAIL.

THE CANADIAN MAGAZINE (*presented*).

DIE WOCHE (*presented*).

the election register, is entitled to vote at the election, and whose place of residence is shewn in such register, or is known to the Registrar, a voting paper in the form set out in schedule 1 to this Act, together with a list of the persons whose term of office is expiring, and of all persons who have been nominated.

119. The votes shall be given by closed voting papers, ^{Votes, how given.} which shall be delivered, or, if sent by mail, shall be received at the office of the Registrar not earlier than the second Wednesday of the said month of September, and not later than the first Wednesday of October following, both days inclusive, and every voting paper which has not been furnished by the Registrar, or which is not so delivered or received as aforesaid shall be invalid, and shall not be counted.

120. Two persons to be appointed by the Senate for that ^{Scrutineers.} purpose, shall be the scrutineers; but, if the Senate does not at least two weeks previous to the time fixed for the counting of the votes appoint the scrutineers, it shall be the duty of the President to make the appointment.

121.—(1) The voting papers shall, upon the next day after the time for receiving the same has expired, be opened ^{Opening and counting votes} by the Registrar, and such persons as may be appointed by the President to assist in the opening thereof, in the presence of the President and of the scrutineers to be appointed as hereinbefore mentioned, who shall examine and count the votes and keep a record thereof in a book to be provided for that purpose, and the opening of the voting papers and the counting and recording of the votes shall be continued from day to day until the same are completed.

(2) In case the President is unable to be present, he shall appoint some person to act in his stead.

122. Any person entitled to vote at the election may be ^{Who may be present at count.} present at the opening of the voting papers and the counting and recording of the votes.

123. If more than one name appears upon a voting paper for Chancellor the vote shall be invalid, and shall not be counted, and if more names than the number to be elected appear on a voting paper for members of the Senate ^{When voter gives more votes than entitled to.} the votes shall be counted as votes for the persons whose names appear thereon in consecutive order, beginning with the first until the required number is reached, and all other votes thereon shall be invalid, and shall not be counted.

Declaration of
result.

124. Upon the completion of the scrutiny and counting of the votes the President or other person acting in his stead and the scrutineers shall declare the result of the election, setting forth the number of votes cast for every person who has been nominated, and shall, without delay, report the same in writing under their hands to the Senate.

Senate to have
casting vote.

125. In case of an equality of the votes given for two or more persons for Chancellor or for a member or members of the Senate, which leaves the election undecided, the Senate shall, at its next meeting, give the casting vote or votes necessary to decide it.

When election
not held as
provided.

126. If from any cause any election provided for by this Act shall not be held as hereinbefore provided, the Board shall make provision for holding the same and fix the dates for the nominations and the other proceedings for taking, counting and recording the votes thereat and declaring the result thereof, and such proceedings shall, as far as may be practicable, be made conformable with those provided by this Act.

Course of in-
struction in
Arts.

127. The course of instruction in the Faculty of Arts shall be apportioned between the University and University College as follows:

University
courses.

(1) In the University instruction shall be given in Mathematics, Physics, Astronomy, Geology, Mineralogy, Chemistry, Biology, Physiology, History, Ethnology, Comparative Philology, Italian, Spanish, History of Philosophy, Psychology, Logic, Metaphysics, Education, Political Science, including Political Economy, Jurisprudence and Constitutional Law, and Constitutional History, and in such other subjects as, from time to time, may be determined by statute in that behalf.

University
College
Courses.

(2) In University College instruction shall be given in Greek, Latin, Ancient History, English, French, German, Oriental Languages and Ethics, and in such other subjects as may, from time to time, be determined by statute in that behalf, but not in theology.

Consent of
federated uni-
versities re-
quired to trans-
fer of subjects.

128. The subjects of instruction assigned by section 127 of this Act to the University and University College, respectively, shall not be transferred from the one to the other except by the direction of the Board, and no such direction shall be made unless with the consent of the federated universities.

University
curriculum in
Arts to include

129.—(1) The curriculum in Arts of the University shall include the subjects of Biblical Greek, Biblical Literature, Christian

Christian Ethics, Apologetics, the Evidences of Natural and Revealed Religion and Church History, but any provision for examination and instruction in the same shall be left to the voluntary action of the federated universities and colleges, and provision shall be made by a system of options to prevent such subjects being made compulsory upon any candidate for a degree.

certain theological subjects.

(2) The options provided for by subsection 1 shall be evenly distributed over each year of the general or pass course, and as far as practicable over each of the honour courses.

Distribution of options over years of course.

130. The Board, with the consent of the federated universities, but not otherwise, may provide that attendance by a student enrolled in University College upon instruction in the subjects assigned to University College or any of them, in any of the federated universities, shall be equivalent to attendance in University College, and that such attendance by a student enrolled in a federated university, in University College, shall be equivalent to attendance in such federated university, and may prescribe the terms and conditions upon which any such attendance upon instruction may take place.

Attendance at lectures in federated universities.

131. Save as otherwise provided by the Board, a professor, lecturer or teacher of University College may give instruction at or to the students enrolled in any federated university in any of the subjects of instruction from time to time assigned to University College, and a professor, lecturer or teacher of any federated university may give instruction at or to the students enrolled in University College in any of such subjects of instruction. Provided, always, that the consent of the Principal of University College and of the federated university or universities concerned and the approval of the Senate shall have been first obtained.

Interchange of lectures with federated universities.

132. Instruction in Arts in the University (except post-graduate instruction) shall be free to all regular matriculated students thereof who are enrolled in University College or in a federated university, and who enter their names with the Registrar of the University, but this provision shall not include exemption from laboratory fees, gymnasium fees, or fees for physical examination or instruction.

Instruction in Arts to be free except as to certain fees.

133. The table of fees now prescribed for University College shall be the minimum table of fees for University College and for the Arts faculties of the federated universities.

Minimum table of fees.

ties, and no reduction shall be made in such minimum unless with the consent of the Board and of the federated universities.

Attendance on lectures as qualification to compete for exhibitions, etc.

134. Attendance upon instruction in University College or in a federated university by a student enrolled therein shall entitle such student to present himself for any Arts examination in and to proceed to any degree in Arts of the University, and to compete for any exhibition, scholarship, prize or certificate of proficiency in Arts awarded or granted by the University in the same way and to the same extent as if he had attended upon such instruction in the University.

Federated colleges.

135. If and as far as may be sanctioned by the Senate and approved by the Board, the provisions of section 134 shall apply to attendance by a student of a federated or affiliated college upon instruction therein.

University students in Arts, enrolment of.

136.—(1) All students proceeding to a degree in Arts in the University, unless in cases for which special provision shall be made to the contrary by statute of the Senate, shall be enrolled in University College or in a federated university.

Registration of students.

(2) Subject to the provisions of the statutes of the Senate in that behalf, all students proceeding to a degree in any faculty of the University other than that of Arts, unless in cases for which special provision shall be made to the contrary by statute of the Senate, shall be registered in the University and receive their instruction therein, except in the subjects in which by or under the authority of subsection 2 of section 127 instruction is or may be provided for in University College, as to which it shall be sufficient if being a student enrolled in University College or a federated university he has received instruction therein.

Occasional and graduate students.

(3) All occasional and graduate students shall also be registered in the University.

Admission of candidates not students of the university.

137. Persons who have not received their instruction in the University, or in University College, or in a federated university or college, or in an affiliated college, may be admitted as candidates for examination for standing or for any degrees, honours, scholarships or certificates of proficiency authorized to be granted or conferred by the University on such conditions as the Senate may, from time to time, determine.

Qualifications for admission to university examinations.

138.—(1) No student enrolled in University College or in a federated university or college or in an affiliated college shall

shall be permitted to present himself for any university examination subsequent to that for matriculation without producing a certificate that he has complied with the requirements of such university or college affecting his admission to such examination.

(2) A student enrolled in an affiliated college may, subject to the provisions of subsection 1 and of any statute in that behalf of the Senate, present himself for any University examination subsequent to that for matriculation leading to a degree in that branch of learning in which instruction is given in such college. Provided, always, that such student shall not be entitled, unless by special permission of the Senate, to present himself for any examination leading to a degree in Arts or in any other faculty of the University.

Students enrolled in affiliated colleges.

Proviso.

139. Every graduate's diploma and student's certificate of standing, in addition to being signed by the proper authority in that behalf of the University, shall indicate the federated university or college or affiliated college in which such student was enrolled at the time of his graduation or examination, and shall be signed by such professor, teacher or officer of the federated university or college or affiliated college as the governing body thereof may determine.

Diplomas, certificates, etc., to indicate students, university or college.

140.—(1) For the purpose of making provision for the maintenance and support of the University and of University College, there shall be paid to the Board out of the Consolidated Revenue of the Province yearly and every year a sum equal to fifty per centum of the average yearly gross receipts of the Province from succession duties.

Annual grant to University of portion of revenue from succession duties.

(2) The said annual sums shall be paid in equal half-yearly instalments on the first day of July and the first day of January in each year, the first of which shall be paid on the first day of July next, and the average yearly gross receipts of the Province from succession duties shall be determined by and be based upon the gross receipts from such duties of the three years ended on the 31st day of December next preceding the day on which the first instalment of the year is to be paid.

How payable.

(3) If in any year the amount which shall be payable to the Board under the provisions of subsections 1 and 2 shall exceed the amount of the estimated expenditure for the maintenance and support of the University and of University College for the academic year in respect of which such sum is payable, it shall be lawful for the Lieutenant-Governor in Council to direct that the excess shall be added to the permanent endowment of the University and University College, or that the same shall be set apart by the Board as a contingent fund to provide for the event of the

When amount of grant is in excess of annual expenditure.

amount

amount which shall be payable to the Board as aforesaid being in any future year or years insufficient to defray the cost of such maintenance and support as aforesaid; or that the same be applied in expenditures on capital account; or that such excess shall be applied or dealt with wholly or in part in each or any or either of the said ways, and to direct if it shall be deemed proper to do so that except in so far as such excess shall not be directed to be applied or dealt with in manner aforesaid that the same shall not be paid to the Board and in every such case the sum which would otherwise be payable to the Board shall be reduced accordingly.

(4) The Lieutenant-Governor in Council may direct that there shall be deducted from the first payment to be made to the Board under the provisions of this section, such sum as he may determine to be equal to so much of the proposed expenditure by the Board for the latter half of the current year for the maintenance of the Faculty of Applied Science and Engineering as has been provided for by the appropriations for the current year out of the Consolidated Revenue for the maintenance of the School of Practical Science which are by section 13 of this Act vested in the Board.

Rights of
Trinity College
under federa-
tion agreement

141. Nothing in this Act contained shall impair or prejudicially affect the rights of Trinity College under those provisions of the agreement made between the Trustees of the University of Toronto of the first part and Trinity College of the second part and bearing date the twenty-fifth day of August, 1903, which are set out in schedule 2 to this Act, but such provisions shall continue to be and shall remain binding on the University.

Arrangements
for removal of
Trinity College
to Queen's
Park.

142.—(1) The Board shall have power to make such arrangement as it may deem expedient for the purpose of facilitating the removal of Trinity College to Queen's Park, and to that end to agree to such modifications and alterations of the terms of the said agreement bearing date the twenty-fifth day of August, 1903, under the provisions of which Trinity College became federated with the University, and to agree to such additional or substituted terms, financial or otherwise, as to the Board may seem meet, but no such agreement shall have any force or effect until it has been approved by the Lieutenant-Governor in Council, but when so approved such agreement shall have the same force and effect as if the terms thereof had been embodied in this Act.

Loan to Trinity
may be guar-
anteed by
Province.

(2) In the event of its being necessary in order to the carrying out of any agreement which may be entered into under the provisions of subsection 1, that to enable Trinity College to remove its seat to a site on the University land in or near Queen's Park and to erect new buildings thereon

a loan

a loan to be raised by Trinity College should be guaranteed by the Province it shall be lawful for the Lieutenant-Governor in Council for and in the name of the Province to guarantee the repayment of the loan in such form and upon and subject to such conditions and stipulations as to the nature and sufficiency of the security to be given for the loan, the safeguards which may be deemed necessary to protect the Province against loss and to ensure the repayment of principal and interest as the same become due, and otherwise as to the Lieutenant-Governor in Council may seem meet.

(3) Trinity College is hereby authorized and empowered to make and enter into any agreement which it may deem necessary for carrying out the purpose mentioned in sub-section 1, and to make and execute all such agreements, deeds and other instruments as may be deemed necessary to carry into effect the provisions of any such agreement.

(4) Trinity College may also borrow upon the security of its property, real and personal, or any part thereof, such sum of money as may be deemed requisite in order to carry out such removal as aforesaid, and the terms of any agreement which may be entered into as aforesaid in reference thereto, and may execute such deeds, bonds, debentures and other instruments as may be deemed necessary for the purposes of such security as aforesaid, and the money so borrowed may be repayable at such times and in such manner and bear such rate of interest as to Trinity College may seem meet.

143.—(1) The Board may stop up and close the highway or street in the City of Toronto called Devonshire Place, and if and when a statute for that purpose shall be passed by the Board and registered as hereinafter mentioned, the said highway or street shall be stopped up and closed and shall cease to be a highway, and the soil and freehold thereof shall be vested in the Board for the use of the University and University College.

(2) The Board shall make to the owners and occupiers of and all persons interested in any of the lots fronting or abutting on the said highway or street compensation for the damage or injury occasioned to such lots by the closing of the said highway or street, and the amount of such compensation shall be ascertained and determined in the manner provided for by subsection 8 of section 39 of this Act.

(3) Any statute which may be passed under the provisions of this section may be registered in the Registry Office for the western division of the City of Toronto, and for the purpose of such registration a duplicate original of the statute shall be made out and certified under the hand of the Bursar and the seal of the Board and shall be registered without any further proof.

Wallbridge
scholarship.

144. If the Board shall be satisfied that the bequest made by Asa Forbes Wallbridge by his last will and testament, bearing date the twelfth day of April, 1899, of two shares of the capital stock of the Bank of Toronto, which by the said will are bequeathed to the Chancellor of the University of Toronto to be held by him and his successors in office in trust to apply the dividends thereof as a prize or scholarship to be awarded to the most proficient student of the said University at the annual examinations in the Greek New Testament, was intended for the benefit of the students of Victoria University it shall be lawful for the Board to transfer the said shares to the Chancellor of the said last mentioned University to be held by him and his successors in office in trust to apply the dividends thereof as a prize or scholarship to be awarded to the most proficient student of Victoria University at the annual examinations in the Greek New Testament, and the said shares shall thereupon and thereafter be held by the Chancellor of Victoria University and his successors in office upon the last mentioned trust instead of the trust declared by the said will, and the Chancellor of the University of Toronto and his successors in office shall be discharged from all liability in respect of the said shares and the application of the dividends thereof.

When feder-
ated college
may become a
college of the
university.

145. If and when a college now or hereafter federated with the University shall establish a faculty of Arts in which instruction in the subjects of the course of study in Arts not being University subjects shall be provided and a statute of the Board shall be passed declaring that it has so done, such college, so long as it maintains such faculty to the satisfaction of the Board, shall be known as and may be called a college of the University, and the teaching staff in such faculty shall have the same representation in the Council of the faculty of Arts as is by section 74 of this Act given to the teaching staffs of the federated universities, and the regular matriculated students of such college who are enrolled therein and enter their names with the Registrar of the University shall be entitled to the privileges which are by section 132 conferred upon the students mentioned therein.

5 Edw. VII.
c. 37, s. 8
amended.

146. Section 8 of the Act passed in the fifth year of the reign of His Majesty, chapter 37, is hereby amended by adding thereto the following: "and the Lieutenant-Governor in Council is hereby authorized and empowered to grant to the Board the said site subject to the lease thereof to the Grand Trunk Railway Company of Canada and the option of purchase contained in the said lease, and the Board may until the sale thereof is completed and the purchase money received apply out of the endowment of the University and

Crown author-
ized to grant
former site of
Parliament
Buildings to
University.

University College the money required to be expended in the erection and equipment of the said buildings.

147. The Acts and parts of Acts mentioned in schedule 3 Former provisions repealed. to this Act are hereby repealed to the extent mentioned in the said schedule.

148. This Act shall go into force and take effect on the 15th day of June next after the passing thereof. Commencement of Act.

SCHEDULE 1.

(Section 118.)

FORM OF VOTING PAPER.

University of Toronto. Election.

19 .

I, _____ resident at _____ in the county of _____ do hereby declare:

(1) That the signature subscribed hereunto is of my proper handwriting.

(2) That I vote for the following person as Chancellor of the University of Toronto, viz., _____ of _____ in the county of _____

(3) That I vote for the following persons as members of the Senate of the University of Toronto, viz., _____ of _____ in the county of _____ etc., etc.

(4) That I have not for the purpose of this election signed any other voting paper as a graduate of the Faculty of Arts (or of Medicine, or of Law, or of Applied Science and Engineering (or as the case may be) or as a Principal of or Assistant in a Collegiate Institute, or a High School, as the case may be).

(5) That this voting paper was signed by me on the day of the date thereof.

(6) That I vote in my right as graduate of _____ University (or Principal of, or Assistant in a Collegiate Institute or a High School, as the case may be).

(7) (In the case of a Principal of, or Assistant in a Collegiate Institute or in a High School) That I am now actually engaged in teaching in a Collegiate Institute (or in a High School, as the case may be) viz., in the _____ at _____

Witness my hand this

day of

A.D. 19

A. B.

SCHEDULE 2.

(Section 142.)

Provisions of the agreement between the Trustees of the University of Toronto and Trinity College which are not to be affected by the Act.

"The parties of the second part shall be entitled to have lectures in the University subjects as defined by *The University Act, 1901*, delivered by the professors and other instructors of the University of Toronto

of Toronto at Trinity College in all subjects of the general or pass course, and as far as practicable in all subjects of the several honour courses, but it is hereby declared that it is not intended that there shall be any duplication of lectures or other instruction for the purposes of which scientific apparatus or other means of demonstration are required which are not provided by Trinity College, and which cannot be conveniently taken from the University buildings to Trinity College.

"All arrangements for such lectures, including the time table of lectures and the personnel of lecturers, shall be made in such manner as to afford to the students enrolled at Trinity College the same advantages in regard to the University lectures as are afforded to the students of the other Arts colleges, and the said arrangements shall be made in each year by the President of the University of Toronto and the Provost of Trinity College, and, in the event of their being unable to agree on any matter, the same shall be forthwith referred for final decision to such person as they may designate in writing under their hands, and, in the event of the President and the Provost being unable to agree upon such referee within one week after such disagreement on any matter as aforesaid, such referee shall be appointed by the Minister of Education, and a decision in writing of such referee, by whomsoever chosen, shall be final.

"The expenses connected with the duplication of lectures as aforesaid shall be assumed by the Government as a permanent charge on the provincial revenues in consideration of the suspension by Trinity College of its degree conferring powers, and of its surrender to the University of Toronto of all fees in connection with degrees other than those of Theology.

"A site to be agreed on between the said parties hereto in or near the Queen's Park, in the City of Toronto, on the lands vested in the parties of the first part, shall be reserved for the parties of the second part, on which they may erect at their own expense a building for the use of the students of Trinity College while attending lectures in the University buildings.

"Such site shall be occupied by the parties of the second part free of ground rent and all other charges so long as the federation of the universities continue, but, in the event of the withdrawal of the parties of the second part from federation the said building shall be purchased from the said parties of the second part by the said parties of the first part at a valuation to be determined by the arbitration of two indifferent persons to be appointed, one by each of the parties hereto, their successors or assigns, and this provision shall be deemed to be and shall be a submission under *The Arbitration Act*.

"Until the erection of such building students from Trinity College attending University lectures shall be allowed the use of some suitable rooms in one of the University buildings.

"Subsections 1 and 2 of section 43 of the said Act are hereby declared to be incorporated in and to form part of this agreement.

"The Senate of the University of Toronto shall enact such statutes as may be necessary to enable the University of Toronto to confer on undergraduates and graduates of Trinity College the degrees provided for by subsection 2 of section 3 of *The University Act, 1901*, which are now conferred by Trinity University.

"The examination for the said degrees shall be conducted by the University of Toronto through examiners nominated by the parties of the second part, and the said degrees shall be conferred by the University of Toronto upon the report of the said examiners.

"All students of Trinity Medical College who have not matriculated at the date of the issue of the proclamation of the federation of the two universities shall be allowed two years from that date to matriculate in the University of Trinity College under the regulations in force at the date of federation."

SCHEDULE 3.

(Section 147.)

Acts and parts of Acts repealed:

R.S.O. Cap. 300. The whole Act.

1 Edw. VII., cap. 41. The whole Act.

2 Edw., VII., cap. 43. The whole Act, except section 7.

3 Edw. VII., cap. 36. The whole Act.

4 Edw. VII., cap. 35. The whole Act.

5 Edw. VII., cap. 36. The whole Act.

5 Edw. VII., cap. 37. Sections 7 and 10.
